



Ergon, Inc.

P.O. Box 1639
Jackson, MS
39215-1639 USA
601-933-3000
ergon.com

September 12, 2018

Sent Via Fed Ex

U.S. Environmental Protection Agency
Superfund Payments
Cincinnati Finance Center
P.O. Box 979076
St. Louis, Missouri 63197-9000

Re: *Reimbursement of Costs Expended at the Ergon, Inc. Drinking Water Response
December, 2016
Site ID – A6PD*

Dear Claim Representative:

Enclosed is the Ergon, Inc. check in the amount of \$240,603.81, made payable to the U.S. EPA Superfund, Reference Site ID A6PD, for full payment of the claim referenced above.

Thank you for your attention to this matter. Should you have any questions please feel free to contact me.

Sincerely,

Lori Graham
Director of Claims
Office: 601.933.3578
E-mail: lori.graham@ergon.com

cc: David Eppler
Enforcement Officer
EPA – Dallas, TX

P.O. Box 1639
Jackson, MS
39215-1639



039235

Date 12SEP18

Pay 240,603.81 \$ 240,603.81

To the order of

- U.S. ENVIRONMENTAL PROTECTION
AGENCY SUPERFUND
- CINCINNATI FINANCE CENTER
P. O. BOX 979076
ST. LOUIS, MISSOURI 63197-9000

ERGON, INC.

Kathy W. Stone

Regions Bank
Jackson, Mississippi 39205

⑆065305436⑆ ⑈500⑈ 2633351⑈

Date	Description	Amount	Deductions	Net Amount
12SEP18	MEMO NOTE: SITE ID A6PD RE: ERGON, INC. - DRINKING WATER RESPONSE - LOCATED CORPUS CHRISTI, NUESES COUNTY, TEXAS DECEMBER, 2016			\$240,603.81

Attached check is in full payment of items listed above. Please detach this statement before depositing.

P.O. Box 1639
Jackson, MS
39215-1639



039235



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

AUG 20 2018

CERTIFIED MAIL: RETURN RECEIPT REQUESTED #7015 1520 0003 3989 5442

Mr. Houston R. Ezell
Vice President – Risk Management
Ergon, Inc.
Post Office Box 1639
Jackson, Mississippi 39215-1639

Re: Request for Reimbursement of Costs Expended at the Ergon, Inc. Drinking Water Response,
December, 2016

Dear Sir:

The United States Environmental Protection Agency ("EPA") is contacting Ergon, Inc. regarding the Ergon, Inc. Drinking Water Response, located in Corpus Christi, Nueces County, Texas.

On or about December 14, 2016, the EPA responded to the release or threat of a release of a substance or chemical, to wit: Indulin AA-86, that may have entered or impacted the Corpus Christi drinking water system from Ergon, Inc.'s facility. This release resulted in the City of Corpus Christi issuing a city-wide drinking water ban on December 14, 2016. Beginning on December 15, the EPA and the Texas Commission on Environmental Quality cooperated in the response to address collection and analysis of drinking water samples and the investigation of the extent of the Corpus Christi drinking water system contamination.

Based on the information collected, the EPA believes that Ergon, Inc. may be liable under Section 107(a) of CERCLA with respect to the Site. Ergon, Inc. is a current lessee and operator of the facility from which the release or threat of release occurred.

Reimbursement of Costs

In accordance with Section 104 of CERCLA, the EPA has already taken certain response actions, which are listed above, and incurred certain costs in response to conditions at the Site. The EPA is seeking to recover from Ergon, Inc. its response costs under Section 107(a) of CERCLA. The total response costs as detailed in a report dated July 18, 2018, were \$240,603.81. A summary of these costs is attached as Enclosure A. We also include enclosures which describe our process for developing the Indirect Cost Rate used in Region 6 (Enclosure B), and explanation of the Annual Allocation rates applied to contractor costs (Enclosure C).

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within this category, please contact David Eppler at (214) 665-6529 for information on "Ability to Pay Settlements". If the EPA concludes that Ergon, Inc. has a legitimate inability to pay claim, the EPA may offer a schedule for payment over time or a reduction in the total amount to be reimbursed for this Site.

Some or all of the costs associated with this incident may be covered by current or past insurance policies held by Ergon, Inc. Most insurance policies will require that you timely notify your carrier(s) of a claim against you. To evaluate whether you should notify your insurance carrier(s) of this event, you may wish to review current and past policies.

Please send a written response within thirty (30) days, to:

David Eppler
Enforcement Officer
Superfund Division
U.S. Environmental Protection Agency
1445 Ross Ave., Ste. 1200 (6SF-TE)
Dallas, Texas 75202

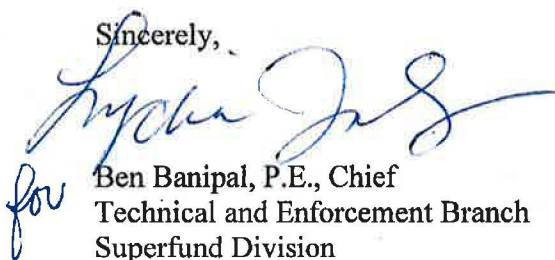
Reimbursement checks should be mailed to the following address. Please make a copy of the check and mail the copy to David Eppler at the address above. Include the Site ID on the check as A6PD.

US. Environmental Protection Agency
Superfund Payments
Cincinnati Finance Center
P.O. Box 979076
St. Louis, Missouri 63197-9000

If a response from you is not received within thirty (30) days, the EPA will assume that you have declined to reimburse the EPA for the Site expenditures, and pursuant to CERCLA, the EPA may pursue civil litigation.

Also, please note that because the EPA has a potential claim against you, you must include the EPA as a creditor if you file for bankruptcy. The EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

Sincerely,


for Ben Banipal, P.E., Chief
Technical and Enforcement Branch
Superfund Division

Enclosures (3)